

Jim Osgood  
19661 SE 24<sup>th</sup> Way, Sammamish

It is hard to believe that we are nearing the end of the ECA review process. Unfortunately, I can't yet say that I am pleased with the outcome. We still believe that the overlay should be changed from proscriptive to advisory and each property evaluated on its own merits. Since that now seems very unlikely we need to deal with what we believe is missing in the current pilot program proposal. In particular, it really only benefits properties that can tightline; those properties that are located near the Lake. What is missing is how we can use other conveyances to safely get storm water to the lake. While it sounds good, the option for Low Impact Development will not work very effectively for properties in the overlay since infiltration is not possible, as soil experts have commented to during the process.

What I am very pleased with is at how open and available the city staff has been in assisting us in getting a full understanding of the hurdles we need to overcome. We have had three meeting with them since the last Planning Commission meeting and believe we are making progress. Just to bring you up to speed on what we have been doing, we have boiled down the main issue to how we can protect ditches from erosion or damage from stormwater. It would seem pretty simple, but as you can expect it is complicated. We are preparing some additional draft language that we believe will minimize the risk of those potential problems and will provide it to you prior to your next meeting. The reason for the delay is primarily due to the technical expertise we found we needed. Mr. Krabbe had been a great assistance to us, but found he had no more time to do so. We are grateful for what he did to help us. We have rehired our engineer, Triad Associates, who was working on our project in 2007 to provide that expertise. He is now fully up to speed.

Here is what we are thinking about including in protecting ditches from erosion and damage:

Require level 3 flow control with onsite detention that would allow for variable storm water release at a rate that would not stress a ditch. It is the most stringent standard applied in the KC Design Manual. Monahan, the general area we are currently in only requires a level 2 flow control.

Incorporate some Low Impact Development Techniques to minimize stormwater volumes. Some of the LID Techniques we are exploring are limiting impervious coverage to less than that currently allowed under current zoning and requiring a minimum dedicated open space. Additionally, raingarden(s) and vegetated filter(s) will be required to be incorporated into the design.

We would also suggest limiting the maximum project size of this option to 5 acres for the pilot program.

Please do keep in mind that this is for a pilot program and pilot programs are not typically designed to test only overly cautious project types that are sure to work, as are identified in the currently proposed pilot program, but also projects that are very likely to work, as we will be proposing.

Hopefully this update has whetted your appetite for our draft proposal and code language. We will provide it shortly and have our expert at the next meeting to explain it in detail.

EXHIBIT NO. 249.